Best Available Copy

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor

Ken KUTARAGI, et al.

Filed by Express Mail

Serial No

09/942,977

Filed

August 30, 2001

Title

METHOD AND SYSTEM FOR....

July 23, 2002

Commissioner of Patents Box DAC Washington, D.C. 20231

PETITION UNDER 37 C.F.R. § 1.10(c)

SIR:

Applicants filed a Request for Corrected Filing Receipt in the above-referenced application on May 31, 2002, which is attached for reference. Because the requested correction relates to a date of filing governed by an Express Mail procedure, Applicants' should have filed a petition in accordance with 37 C.F.R § 1.10(c). The present petition is made accordingly.

Upon information and belief, Applicants deposited the above-referenced application with the USPS on August 30, 2001 and received a copy of Express Mail Receipt EL639693967US with a "date in" of August 30, 2001. Upon information and belief, a copy of this receipt was subsequently misplaced or lost by Applicants.

The USPS delivery record attached to the attached request of June 7, 2002 clearly shows that the Express Mail package EL639693967US was received in the United States Patent and Trademark Office on August 31, 2001 at 6:50 A.M. Applicants subsequently received a return post card for the above-referenced application indicating that it had been received in the USPTO on August 31, 2001. Upon information and belief, a true

copy of this post card is attached to this petition. This post card indicates that the

application was mailed on August 30, 2001 in Express Mail package EL639693967US.

Further, upon information and belief, the Request of June 7, 2002 includes a true copy of

the first page of the above-referenced application that includes a stamp also indicating

that the application was filed in Express Mail package EL639693967US.

In order for the application to have been received via Express Mail package

EL639693967US at the USPTO on August 31, 2001 at 6:50 A.M., it clearly must have

been deposited with the USPS no later than August 30, 2001. Accordingly, Applicants

respectfully submit that the above-referenced application is therefore entitled to a filing

date of August 30, 2001 based on the Express Mail deposit date rather than the actual

date of receipt by the USPTO. Applicants petition the Commissioner to accord the

application a corrected filing date of August 30, 2001, and to provide Applicants with a

corrected filing receipt reflecting this application date.

Any fee, due as a result of this paper may be charged on Deposit Account No. 50-

1290.

Respectfully submitted,

Thomas D Bean

Reg. No. 44,528

Katten Muchin Zavis Rosenman 575 Madison Avenue

New York, NY 10022-2585

(212) 940-8800

Docket No: SCEW 18.970

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor

Ken KUTARAGI, et al.

Serial No

09/942,977

Filed

August 30, 2001

Title

METHOD AND SYSTEM FOR MONITORING.....

May 31, 2002

Attn: Customer Corrections Division Assistant Commissioner for Patents Washington, D.C. 20231

REQUEST FOR CORRECTED FILING RECEIPT

SIR:

We received the Filing Receipt on the above-referenced case, copy enclosed, wherein the PTO incorrectly listed the FILING DATE as AUGUST 31, 2001. Please change the same to read: AUGUST 30, 2001. As we cannot locate the original Express Mail Receipt (EL639693967US), we enclose herewith a delivery record from the United States Postal Service, showing that the application was received in the United States Patent and Trademark Office on August 31, 2001 at 6:50 A.M. The only way the application could be received at the USPTO on August 31, 2001 at 6:50 A.M. is if it was deposited with the USPS on August 30, 2001. Thus, August 30, 2001 is the proper filing date.

We also enclose a copy of the transmittal sheet and the first page of the specification, showing the Express Mail Item Number.

Any fee, due as a result of this paper may be charged on Deposit Account No. 50-1290.

Respectfully submitted,

Thomas J. Bean

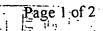
Reg. No. 44,528

Katten Muchin Zavis Rosenman 575 Madison Avenue 15th Floor New York, New York 10022-2585 (212) 940-8800

Docket No.: SCEW 18.970









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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/942,977	_ 08/21/20 01 08/30/20	2651	1290	100809- 16280 (SCEW 18.970	6	17	8

026304 ROSENMAN & COLIN LLP 575 MADISON AVENUE NEW YORK, NY 10022-2585 CONFIRMATION NO. 7679
UPDATED FILING RECEIPT

CC000000007183934

Date Mailed: 12/12/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Ken Kutaragi, Kanagawa, JAPAN; Shinichi Okamoto, Tokyo, JAPAN; Keiso Shimakawa, Kanagawa, JAPAN; Toyoshi Okada, Tokyo, JAPAN; Muneki Shimada, Tokyo, JAPAN; Minoru Hashimoto, Tokyo, JAPAN;

Domestic Priority data as claimed by applicant

Foreign Applications

JAPAN 2000-266154 09/01/2000 JAPAN 2001-261723 08/30/2001

If Required, Foreign Filing License Granted 10/02/2001

Projected Publication Date: 03/21/2002

Non-Publication Request: No

Early Publication Request: No

Title





Method and system for monitoring utilizing condition of contents, computer program and recording medium

Preliminary Class

369

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Date: 05/29/2002

Fax Transmission To: BRENDY BELOMY

Fax Number: 212-940-8986

Dear BRENDY BELOMY:

The following is in response to your 05/29/2002 request for delivery information on your Express Mail item number EL639693967US. The delivery record shows that this item was delivered on 08/31/2001 at 06:50 AM in WASHINGTON, DC 20231 to M BOSTON. The scanned image of the recipient information is provided below.

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Sincerely,

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PTO/SB/05 (11-00)

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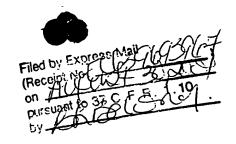
UTILITY PATENT APPLICATION TRANSMITTAL

SCEW 18.970 · Attorney Docket No. K. KUTARAGI First Inventor METHOD AND SYSTEM FOR MONITORING....

(Only for new nonprovisional applications under 37 CFR 1.53)	b)) Express Mail Label No. EL639693967US								
APPLICATION ELEMENTS	Assistant Commissioner for Patents ADDRESS TO: Box Patent Application								
See MPEP chapter 600 concerning utility patent application cont	161 - 1-1-1-1-1-1 DC 20224								
Fee Transmittal Form (e.g., PTO/SB/17)	7. . CD-ROM of CD-R in duplicate, raige table of								
Cabail an original and a duplicate for fee processing) Applicant claims small entity status.	Computer Program (Appendix) 8. Nucleotide and/or Amino Acid Sequence Submission								
2. See 37 CFR 1.27.	(if applicable, all necessary)								
3. Specification [Total Pages 34]	a. Computer Readable Form (CRF)								
Descriptive title of the invention Cross Reference to Related Applications	b. Specification Sequence Listing on:								
- Statement Regarding Fed sponsored R & D	i. CD-ROM or CD-R (2 copies); or								
 Reference to sequence listing, a table, or a computer program listing appendix 	ii paper c Statements verifying identity of above copies								
Background of the Invention Brief Summary of the Invention	ACCOMPANYING APPLICATION PARTS								
- Brief Description of the Drawings (if filed)	(a)								
- Detailed Description - Claim(s)	37 CFR 3.73(b) Statement Power of								
- Abstract of the Disclosure	10. (when there is an assignee) Attorney								
4. X Drawing(s) (35 U.S.C. 113) [Total Sheets 6	11. English Translation Document (if applicable) Copies of IDS								
5. Oath or Declaration [Total Pages	Information Disclosure Copies of IDS 12 Statement (IDS)/PTO-1449 Citations								
At the second of facing loss come	13. Preliminary Amendment								
a. Newly executed (original of octy): Copy from a prior application (37 CFR 1.63 (d)) b. (for continuation/divisional with Box 18 completed)	Return Receipt Postcard (MPEP 503) (Should be specifically itemized)								
i DELETION OF INVENTOR(S)	15. Certified Copy of Priority Document(s) (If foreign priority is daimed)								
Signed statement attached deleting inventor(s)	Request and Certification under 35 U.S.C. 122								
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).	(b)(2)(B)(i). Applicant must attach form PTO/SB/35								
6. Application Data Sheet. See 37 CFR 1.76	or its equivalent.								
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18. If a CONTINUING APPLICATION, check appropriate box, a or in an Application Data Sheet under 37 CFR 1.76:	nd supply the requisite information below and in a preliminary amendment,								
Continuation Divisional Continuation-in-p									
Prior application information: Examiner	Group Art Unit:								
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The incorporation can only be relied upon when a portion has been	PONDENCE ADDRESS								
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Signature	Date 08/30/01								

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- 1 -



METHOD AND SYSTEM FOR MONITORING UTILIZING CONDITION OF CONTENTS, COMPUTER PROGRAM AND RECORDING MEDIUM

CROSS-REPERENCE TO RELATED APPLICATIONS

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This application is based upon and claims the benefit of priorities from the prior Japanese Patent Applications No. 2000-266154 filed on September 1, 2000 and No. 2001-261723 filed on August 30, 2001, the entire contents of both of which are incorporated herein by reference.

BACKGROUND OF THE INVENTION

1. Field of the Invention

The present invention relates to a technique for distributing contents which includes, for example, game programs, video signals, image data, sound data, music data, character information or the composition of them.

20 2. Description of the Related Art

Along with the popularization of the internet, distributing contents to numbers of people is becoming easier. Recently, pay services of distributing contents are implemented actively. However, in the wide-area network like the internet to which general public people can access, piracy and interception of contents arises easily, thus security and copyright of contents cannot be fully protected.

Moreover, when the contents is distributed using pay service, 30 it is difficult to set charge fee properly, because it is hard to figure out how much the paid contents is utilized.

Docket No.: SCEW 18.970 Mailed: August 30, For: METHOD AND SYSTEM FOR MONITORING UTILIZING COND CONTENTS, COMPUTER PROGRAM AND RECORDING MEDIUM	2001 ITION OF
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